

Prison: the facts

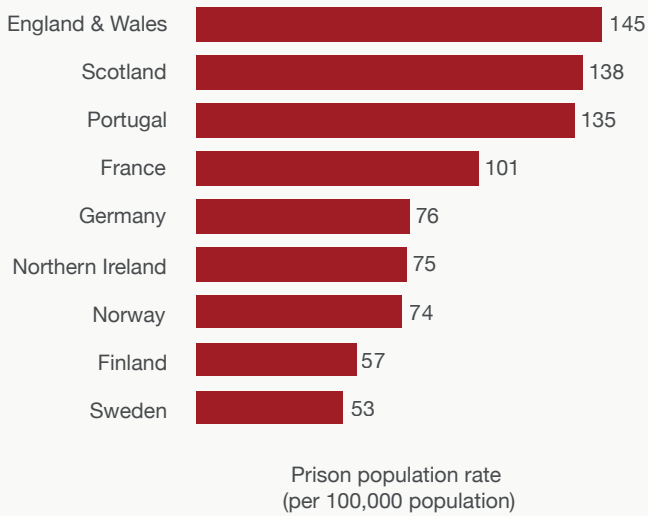
Bromley Briefings Summer 2017



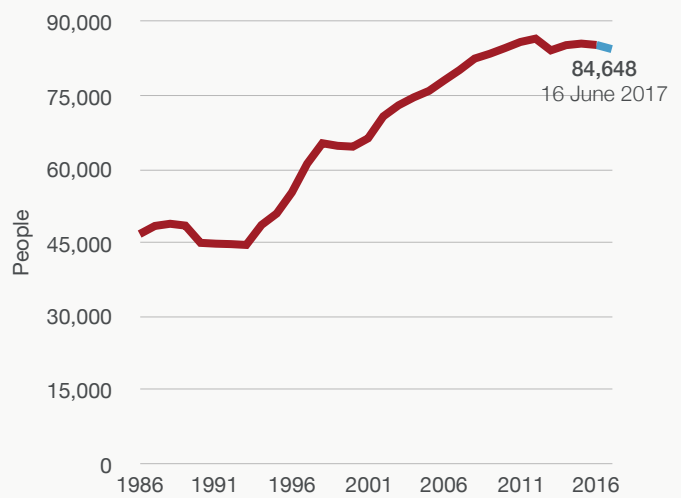
Facts and figures provide a better basis than opinion for policy and practice change. Drawn largely from government sources, these facts chart the extraordinary rise in prison numbers over the last twenty years, inflation in sentencing and the social and economic consequences of overuse of custody. They reveal the state of our overcrowded prisons and the state of people in them, the impact of deep budget cuts, the pace and scale of change in the justice system and the scope for community solutions to crime.

Sentencing and the use of custody

England and Wales has the highest imprisonment rate in western Europe



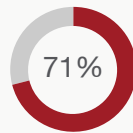
The prison population has risen by 82% in the last 30 years



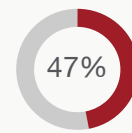
We overuse prison for petty and persistent crime

Nearly **68,000**

people were sent to prison to serve a sentence in 2016



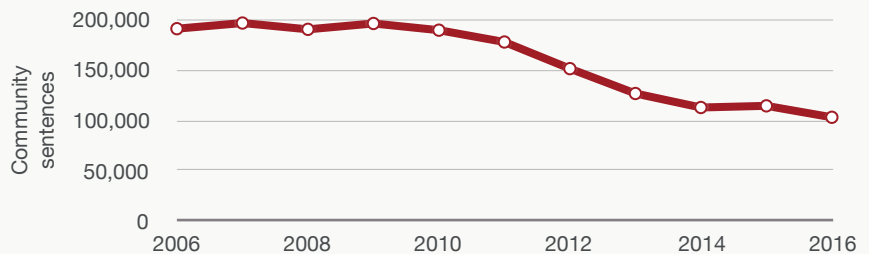
The majority had committed a non-violent offence



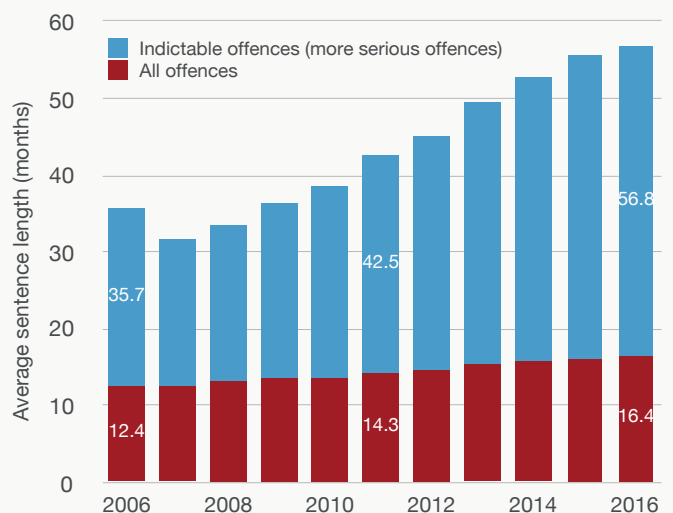
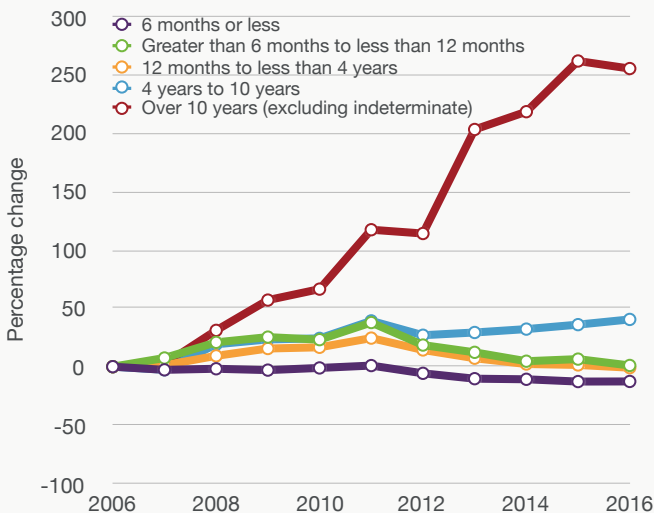
Almost half were sentenced to serve six months or less

Use of community sentences has nearly halved since 2006

Yet **short prison sentences are less effective** than community sentences at reducing reoffending



For more serious offences we choose to send people to prison for a long time...and it's growing



Sources: Ministry of Justice (2017) Population and capacity briefing for 16 June 2017, London: Ministry of Justice
 International Centre for Prison Studies website
 Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice
 Ministry of Justice (2013) 2013 Compendium of re-offending statistics and analysis, London: Ministry of Justice
 Ministry of Justice (2017) Criminal justice statistics quarterly December 2016, London: Ministry of Justice

Sentencing and the use of custody

According to the National Audit Office, there is no consistent correlation between prison numbers and levels of crime.¹ International comparisons also show there is no consistent link between the two.²

Suspended sentences, where people must meet conditions or face the prospect of prison, have risen by 68% in the last decade—the only sentence to have increased in use. They accounted for 5% of all sentences in 2016.³

Anyone leaving custody who has served two days or more is now required to serve a minimum of 12 months under supervision in the community.⁴

As a result, the number of people recalled to custody following their release has increased dramatically—the recall population has increased by nearly 1,000 people since the changes were introduced in February 2015. 6,554 people were in prison on recall at the end of March 2017.⁵

Nearly 8,000 people serving a sentence of less than 12 months were recalled back to custody in the year to December 2016.⁶

The number of people entering prison to serve a sentence has dropped by a quarter since 2010.⁷ Over the same period, the proportion of cases where a guilty verdict is reached has remained broadly stable. However, a fall in the number of cases coming before the courts has led to a drop in the number of people found guilty. Numbers have fallen by 8% in magistrates' courts and by 24% in Crown courts.⁸

Overcrowding and changes to the prison estate

The prison system as a whole has been overcrowded in every year since 1994.⁹ Overcrowding affects whether activities, staff and other resources are available to reduce risk of reoffending, as well as distance from families and other support networks. At the end of May 2017, 76 of the 117 prisons in England and Wales were overcrowded—holding 9,496 people more than they were designed to.¹⁰

20,995 people were held in overcrowded accommodation on average in 2015–16—nearly a quarter of the prison population. The majority were doubling up in cells designed for one.¹¹

This level of overcrowding has remained broadly unchanged for the last 12 years.¹²

£1.3bn has been announced to invest in reforming and modernising the prison estate. The previous Conservative government committed to build nine new prisons, five of these by 2020.¹³

A new 2,106 place prison in Wrexham, North Wales opened in February 2017 at a cost of £212m.¹⁴ Plans were also announced to create 5,000 further places with the possible building of four new prisons in Yorkshire, Wigan, Rochester and Port Talbot.¹⁵

1 National Audit Office (2012) Comparing International Criminal Justice Systems, London: National Audit Office

2 Lappi-Seppälä, T (2015) Why some countries cope with lesser use of imprisonment, available at <http://bit.ly/Tapio>

3 Table Q5.1b, Ministry of Justice (2017) Criminal justice statistics quarterly December 2016, London: Ministry of Justice

4 Ministry of Justice (2013) Offender Rehabilitation Bill Impact Assessment, London: Ministry of Justice

5 Table 1.1, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice and previous editions of the same publication

6 Table 5.2, *Ibid.*

7 Table A2.6, Ministry of Justice (2017) Offender management statistics prison receptions 2016, London: Ministry of Justice

8 Table Q3.1, Ministry of Justice (2017) Criminal justice statistics quarterly December 2016, London: Ministry of Justice

9 Home Office (1999) Digest 4: Information on the criminal justice system in England and Wales, London: Home Office and Table 2.2, Ministry of Justice (2016) Prison performance statistics 2015 to 2016, London: Ministry of Justice

10 Ministry of Justice (2017) Monthly population bulletin May 2017, London: Ministry of Justice

11 Table 2.2, Table 2.3 and Table 2.4, Ministry of Justice (2016) Prison performance statistics 2015 to 2016, London: Ministry of Justice

12 Table 2.2, *Ibid.*

13 HM Treasury (2015) Spending review and autumn statement 2015, London: HM Stationery Office

14 *Ibid.*

15 Ministry of Justice (2017) Justice Secretary announces plans to create 5,000 modern prison places, available at <https://www.gov.uk/government/news/justice-secretary-announces-plans-to-create-5000-modern-prison-places>

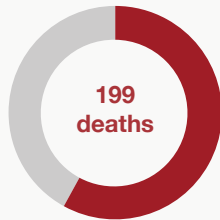
Safety in prison

Safety in prisons has deteriorated rapidly during the last six years. People in prison, prisoners and staff, are less safe than they have been at any other point since records began, with more self-inflicted deaths, self-harm and assaults than ever before.

344 people died in prison in the year to March 2017
The highest number on record

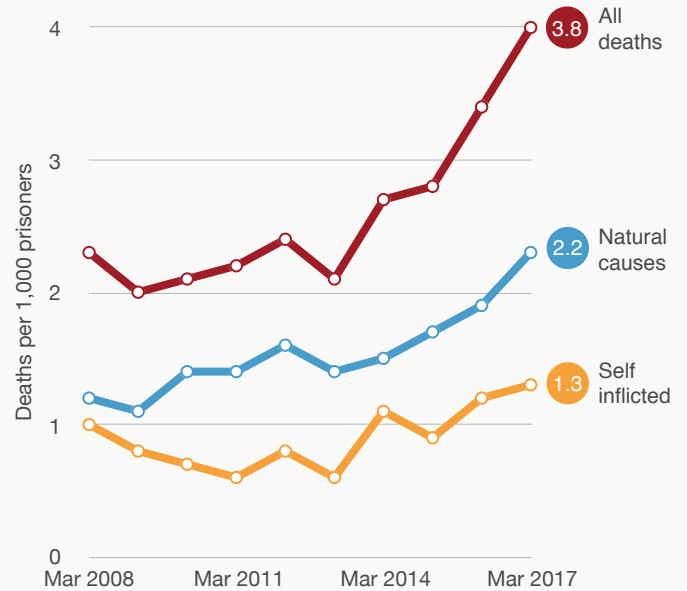


A **third** were self-inflicted

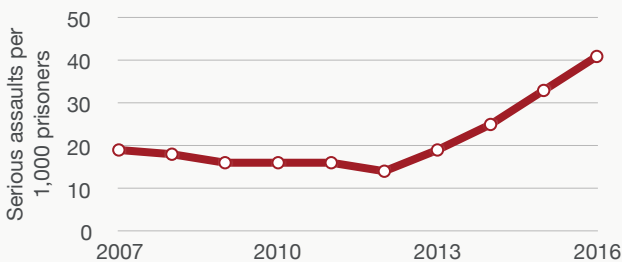


Nearly **3 in 5** were due to natural causes

After a welcome decline in self-inflicted deaths up to 2011, rates are now near record levels



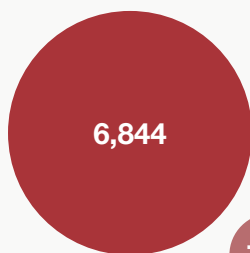
Serious assaults in prison have more than doubled in the last three years



Assaults on staff have

↑88%

in the last two years



Assaults on staff in 2016

789

Were classed as serious

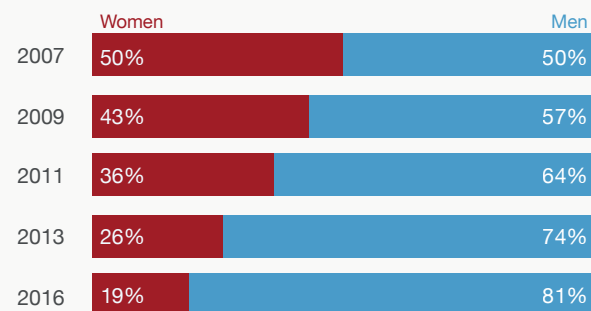
Rates of self-harm are at the highest level ever recorded



Self-harm incidents per 1,000 prisoners

Women account for a disproportionate number of self-harm incidents in prison—despite making up only 5% of the total prison population

But in recent years there has been a significant rise in self-harm incidents by **men**



Proportion of all self-harm incidents

There were three homicides in prison in the year to March 2017 and another six the year before.¹⁶

Sexual assaults in prison have more than tripled since 2012. There were 345 recorded assaults in 2016.¹⁷

There were 64 deaths in prison between June 2013 and April 2016, where the person was known, or strongly suspected, to have used or possessed new psychoactive substances (NPS) before their death—44 of these were self-inflicted.¹⁸

Rates of deaths from natural causes have doubled in only eight years. 199 people died of natural causes in the year to December 2016, a 21% rise on the previous year.¹⁹

Prison service resources and staffing

HM Prisons and Probation Service (HMPPS), formerly the National Offender Management Service (NOMS) reduced its budget by nearly a quarter since 2010–11. Between 2010–11 and 2014–15 it delivered cumulative savings of £900m.²⁰

A further savings target of £91m was set for 2015–16.²¹ However HMPPS failed to meet this, spending £210m more than the year before. This was mostly due to increased costs in staffing for the National Probation Service, new facilities management contracts and Community Rehabilitation Company contracts.²²

Additional funding of up to £500m was committed by the previous Conservative government in order to finance its safety and reform programme between 2017–18 and 2019–20.²³

The cost of a prison place reduced by 20% between 2009–10 and 2015–16. The average annual overall cost of a prison place in England and Wales is now £35,182.²⁴

There are now fewer staff looking after more prisoners. The number of frontline operational staff employed in the public prison estate has fallen by over a quarter (26%) in the last seven years—6,428 fewer staff looking after over 300 more people.²⁵

There is currently shortfall of over 900 frontline operational staff in public prisons against target ‘benchmark’ numbers.²⁶ The previous Conservative government has committed to recruit a further 2,500 additional officers by 2018.²⁷

Despite efforts to recruit, with a significant increase in recruitment in the first three months of 2017, frontline operational staff numbers have only increased by 75 in the last year.²⁸

Nearly a quarter of prison officers (24%) have been in post for two years or less.²⁹ The proportion of experienced staff is also declining—currently three in five officers have 10 years of experience or more.³⁰

Over a quarter (27%) of frontline operational staff quit before two years in the role—and the rate at which they are leaving has accelerated significantly in the last three years.³¹

A shortage of support staff, down nearly 700 against target benchmark numbers, means that officers will often have to cover support tasks, such as working at the gate or answering phones—diverting them from their work with prisoners.³²

¹⁶ Table 2, Ibid.

¹⁷ Table 3.9, Ibid.

¹⁸ Newcomen, N. (2016) Prisons and Probation Ombudsman speech to the Royal College of Psychiatry learning day on New Psychoactive Substances, available at http://www.ppo.gov.uk/wp-content/uploads/2016/11/PPO-speech_Royal-College-of-Psychiatrists_28.11.16.pdf

¹⁹ Table 2, Ministry of Justice (2017) Safety in custody statistics quarterly update to December 2016, London: Ministry of Justice

²⁰ National Offender Management Service (2016) Annual Report and Accounts 2015/16, London: The Stationery Office

²¹ House of Commons written question 5958, 14 July 2015

²² National Offender Management Service (2016) Annual Report and Accounts 2015/16, London: The Stationery Office

²³ HM Treasury (2016) Spending review and autumn statement 2016, London: HM Stationery Office

²⁴ Table 1, Ministry of Justice (2016) Costs per place and costs per prisoner by individual establishment 2015 to 2016 tables, London: Ministry of Justice and Table 42, Ministry of Justice (2011) National Offender Management Service Annual Report 2009/10: Management Information Addendum, London: Ministry of Justice

²⁵ Ministry of Justice (2017) National Offender Management Service workforce statistics: March 2017, London: Ministry of Justice;

Table 1.1a, Ministry of Justice (2010) Offender management statistics quarterly bulletin April to June 2010, London: Ministry of Justice and

Table 1.1, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice

²⁶ Ministry of Justice (2017) National Offender Management Service workforce statistics: March 2017, London: Ministry of Justice

²⁷ Ministry of Justice (2016) Prison safety and reform, London: Ministry of Justice

²⁸ Ministry of Justice (2017) National Offender Management Service workforce statistics: March 2017, London: Ministry of Justice

²⁹ Ibid.

³⁰ Ibid.

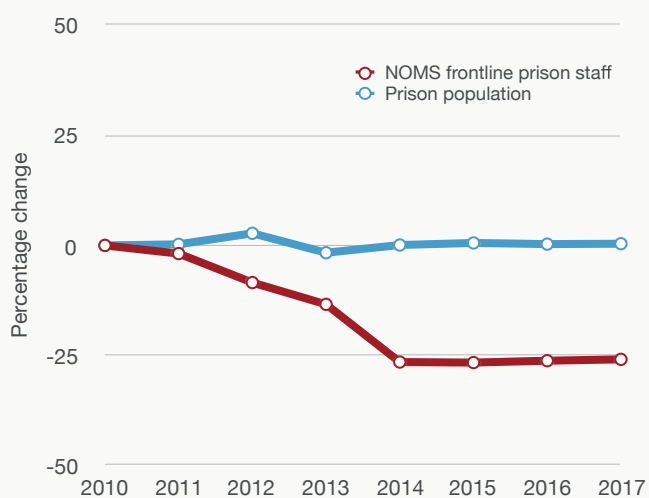
³¹ Table 10 and 8d, Ibid.

³² Ministry of Justice (2017) National Offender Management Service workforce statistics: March 2017, London: Ministry of Justice

Prison service resources and staffing

Public sector prison staff

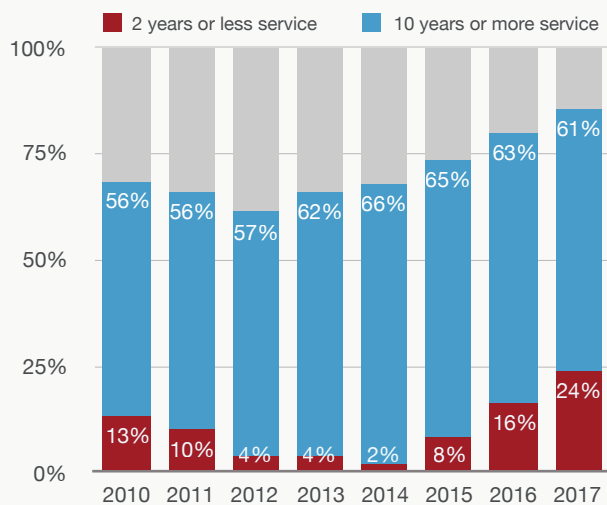
Staff numbers have fallen—but the prison population hasn't



Sources: NOMS workforce statistics bulletin: March 2017 and Offender management statistics

Growing inexperience

The proportion of staff with 2 years or less service is rising



Source: NOMS workforce statistics bulletin: March 2017

People in prison

People on remand

For many people, their first experience of prison is on remand. This might be ahead of their trial, or whilst they are awaiting sentencing having been found guilty.

People remanded to custody to await trial are innocent until proven guilty. 34,256 people were sent to prison before their trial in 2016—down by 15% on the previous year.³³

More than half (56%) of people entering prison on remand awaiting trial are accused of non-violent offences—17% were for theft offences, and 11% for drug offences.³⁴

People on remand currently make up 11% of the total prison population—9,419 people. The majority are awaiting trial (69%), whilst the rest await sentencing.³⁵

More than one in 10 people (10,328) remanded in custody in 2016 were subsequently acquitted. A further 14% of people (13,224) received a non-custodial sentence.³⁶

People spend an average of just over 10 weeks in custody whilst on remand.³⁷ However, some may be held considerably longer.

More than one in four (28%) self-inflicted deaths in 2016 were by prisoners held on remand.³⁸

Remand prisoners receive no financial help from the Prison Service at the point of release.³⁹ Those acquitted receive no compensation.

³³ Table 2.3a, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice

³⁴ Table 2.1i, Ministry of Justice (2017) Offender management statistics prison receptions 2016, London: Ministry of Justice

³⁵ Table 1.1, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice

³⁶ Table Q4.4, Ministry of Justice (2017) Criminal justice statistics quarterly December 2016, London: Ministry of Justice

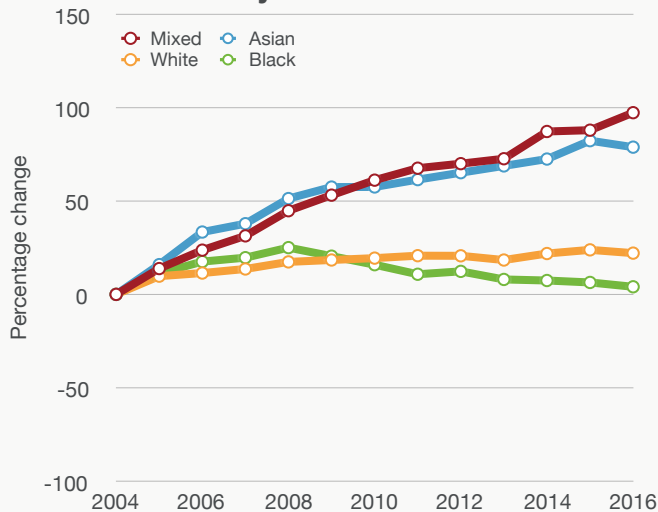
³⁷ Ministry of Justice (2015) Deposited paper DEP2015-0181, London: House of Commons Library

³⁸ Table 1.8, Ministry of Justice (2017) Safety in custody statistics quarterly update to December 2016, London: Ministry of Justice

³⁹ Citizens Advice (2007) Locked Out: CAB evidence on prisoners and ex-offenders, London: Citizens Advice

Black and minority ethnic prisoners

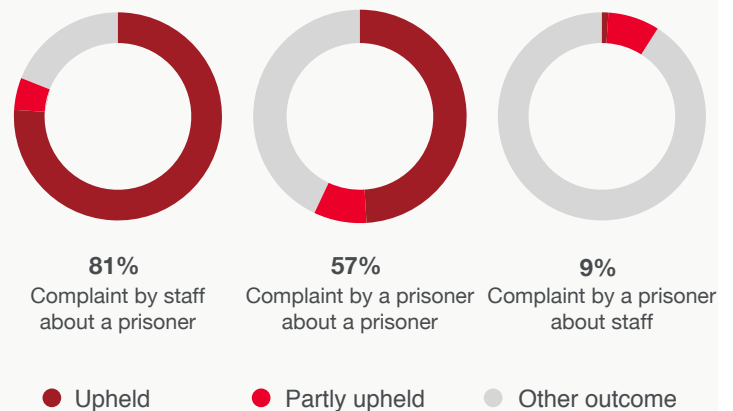
Asian and mixed ethnicity prisoner numbers have nearly doubled since 2004



Source: Offender management statistics, Prison population 2016

Evidence of discrimination?

Proportion of complaints that were upheld or partly upheld



Source: Prison Reform Trust, Tackling discrimination in prison: still not a fair response (Based on 610 investigations from eight London prisons in 2014)

Over a quarter (26%) of the prison population, 22,432 people, are from a minority ethnic group.⁴⁰ This compares to 14% of the general population.⁴¹

11% of British prisoners are black and 7% are Asian.⁴² For black Britons this is four times higher than the 3% of the general population they represent.⁴³

Analysis conducted for the Lammy Review found a clear direct association between ethnic group and the odds of receiving a custodial sentence. With black people 53%, Asian 55%, and other ethnic groups 81% more likely to be sent to prison for an indictable offence at the Crown Court, even when factoring in higher not-guilty plea rates.⁴⁴

The number of people in prison of mixed ethnicity has nearly doubled since 2004 and there are nearly 80% more Asian people in prison—during the same period the number of white people in prison increased by 22%.⁴⁵

Black men are 26% more likely than white men to be remanded in custody. They are also nearly 60% more likely to plead not guilty.⁴⁶

The number of Muslim prisoners has more than doubled over the past 14 years. In 2002 there were 5,502 Muslims in prison, by 2016 this had risen to 12,663. They now account for 15% of the prison population.⁴⁷

Muslims in prison are far from being a homogeneous group. Some were born into Muslim families, and others have converted. 40% are Asian, 29% are black, 16% are white and 9% are mixed.⁴⁸

Black and minority ethnic and Muslim prisoners often report more negatively about their experience in prison and relationships with staff. Fewer said they felt safe on their first night or at the time of the inspectorate's survey; fewer had a member of staff they could turn to for help, fewer said staff treated them with respect, and more said they had been victimised by staff.⁴⁹

⁴⁰ Table 1.4, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice

⁴¹ Office for National Statistics (2012) 2011 Census: Key statistics for England and Wales, March 2011, London: Office for National Statistics

⁴² Table A1.9, Ministry of Justice (2016) Offender management statistics prison population 2016, London: Ministry of Justice

⁴³ Table 4, Office for National Statistics (2011) Population Estimates by Ethnic Group 2002–2009, London: Office for National Statistics

⁴⁴ Hopkins, K., et al. (2016) Associations between ethnic background and being sentenced to prison in the Crown Court in England and Wales in 2015, London: Ministry of Justice

⁴⁵ Table A1.9, Ministry of Justice (2016) Offender management statistics prison population 2016, London: Ministry of Justice

⁴⁶ Table 5.3, Uhrig, N. (2016) Black, Asian and minority ethnic disproportionality in the criminal justice system in England and Wales, London: Ministry of Justice

⁴⁷ Table A1.10, Offender management statistics prison population 2016, London: Ministry of Justice

⁴⁸ House of Lords written question HL3275, 5 January 2017

⁴⁹ HM Chief Inspector of Prisons (2016) Annual Report 2015–16, London: The Stationery Office

Older people in prison

With prison sentences getting longer, more people are growing old behind bars. People aged 60 and over are the fastest growing age group in the prison estate. There are now nearly triple the number there were 14 years ago.⁵⁰

One in six people (16%) in prison are aged 50 or over—13,257 people. Of these, 3,175 are in their 60s and a further 1,561 people are 70 or older.⁵¹

226 people in prison were aged 80 or over as of 30 September 2016. Nearly all were sentenced when they were over the age of 70.⁵²

43% of men in prison aged over 50 have been convicted of sex offences. The next highest offence category is violence against the person (22%) followed by drug offences (9%).⁵³

As the prison population ages, more people will die of natural causes whilst in prison. 164 people aged 50 or over died of natural causes whilst in prison in 2016—more than double the number a decade ago.⁵⁴

Life and indeterminate sentences

Increasing numbers of people in prison don't know if, or when, they might be released. Indeterminate sentences account for 14% of the sentenced prison population, up from 9% in 1993.⁵⁵

England and Wales have more than twice as many people serving indeterminate sentences than France, Germany and Italy combined—the highest in Europe by a significant margin.⁵⁶

10,803 people are currently in prison serving an indeterminate sentence. 7,275 people are currently in prison serving a life sentence and a further 3,528 people are serving an Indeterminate Sentence for Public Protection (IPP).⁵⁷

Despite its abolition in 2012, over four-fifths (85%) of people serving an IPP sentence are still in prison having passed their tariff expiry date—the minimum period they must spend in custody and considered necessary to serve as punishment for the offence.⁵⁸

574 people are still in prison despite being given a tariff of less than two years—nearly half of these (270 people) have served eight years or more beyond their original tariff.⁵⁹

However, the rate of release for IPP prisoners has increased sharply in the last two years. In 2016, for every 1,000 people serving an IPP sentence 144 were released.⁶⁰

People serving mandatory life sentences are spending more of their sentence in prison. On average they spend 16 years in custody, up from 13 years in 2001.⁶¹

Lifers continue to serve their sentence on release from prison for the rest of their lives. They are subject to monitoring and restrictions and can be returned to custody at any point if they break the terms of their licence.

There are currently 59 people serving a whole life sentence—they are unlikely to ever be released.⁶²

50 Table A1.7, Ministry of Justice (2016) Offender management statistics prison population 2016, London: Ministry of Justice

51 Table 1.3, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice

52 House of Lords written question HL3273, 30 November 2016

53 House of Lords written question HL3278, 5 January 2017

54 Table 1.3, Ministry of Justice (2017) Safety in custody statistics quarterly update to December 2016, London: Ministry of Justice

55 Table 1.1, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice and Ministry of Justice (2013) Story of the prison population: 1993–2012 England and Wales, London: Ministry of Justice

56 Table 7, Aebi, M., et al. (2016) Council of Europe Annual Penal Statistics, Survey 2014, Strasbourg: Council of Europe

57 Table 1.9a, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice

58 Ibid.

59 Table 1.9b, Ibid.

60 Table A3.3, Ministry of Justice (2017) Offender management statistics prison releases 2016, London: Ministry of Justice and Table A1.15, Ministry of Justice (2016) Offender management statistics prison population 2016, London: Ministry of Justice

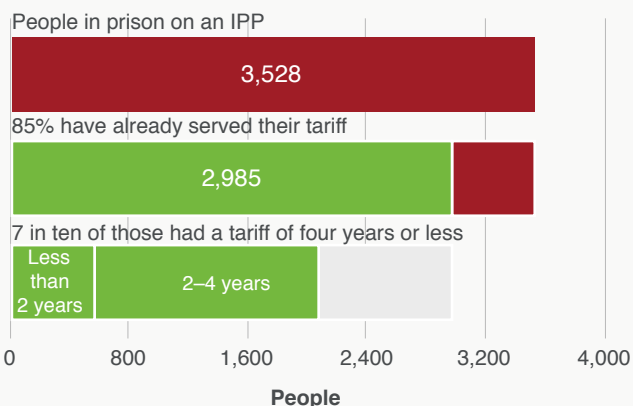
61 Table A3.3, Ministry of Justice (2017) Offender management statistics prison releases 2016, London: Ministry of Justice and Table A3.5, Ministry of Justice (2011) Offender management statistics annual tables 2010, London: Ministry of Justice

62 Table 1.9a, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice

IPP prisoners

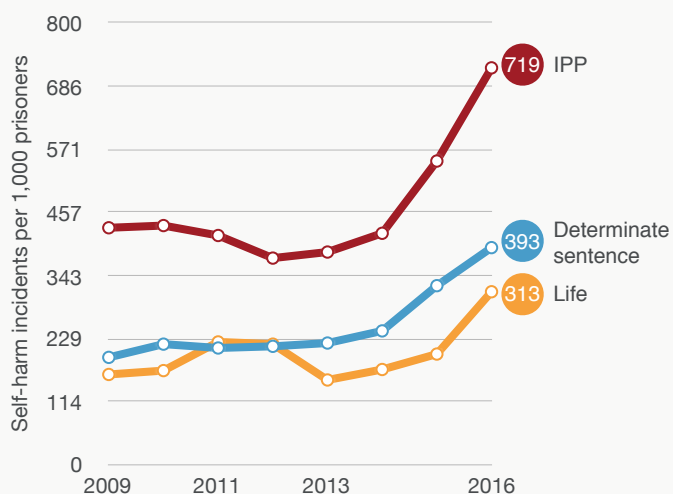
The legacy of the IPP

More than eight in 10 are stuck in prison beyond tariff



Risk of harm?

IPP prisoners are more likely to self-harm

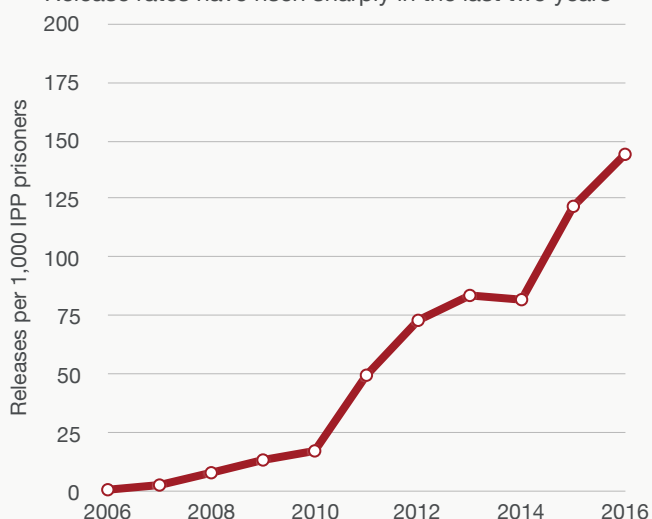


Source: Offender management statistics quarterly: October to December 2016

Source: Safety in custody statistics quarterly update to December 2016 and Offender management statistics prison population 2016

Successful release

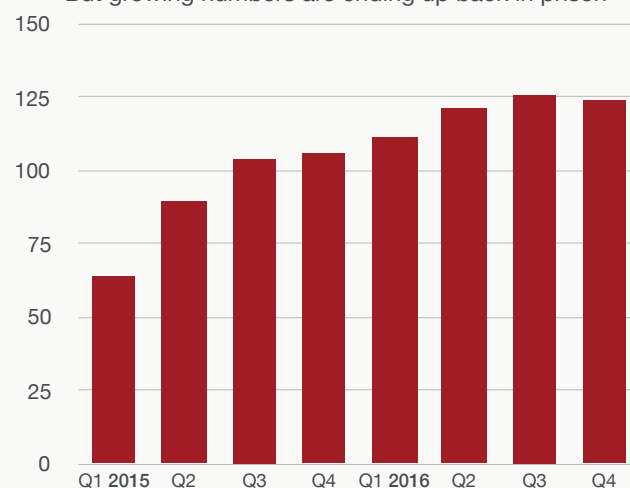
Release rates have risen sharply in the last two years



Source: Offender management statistics prison releases 2016

Recall

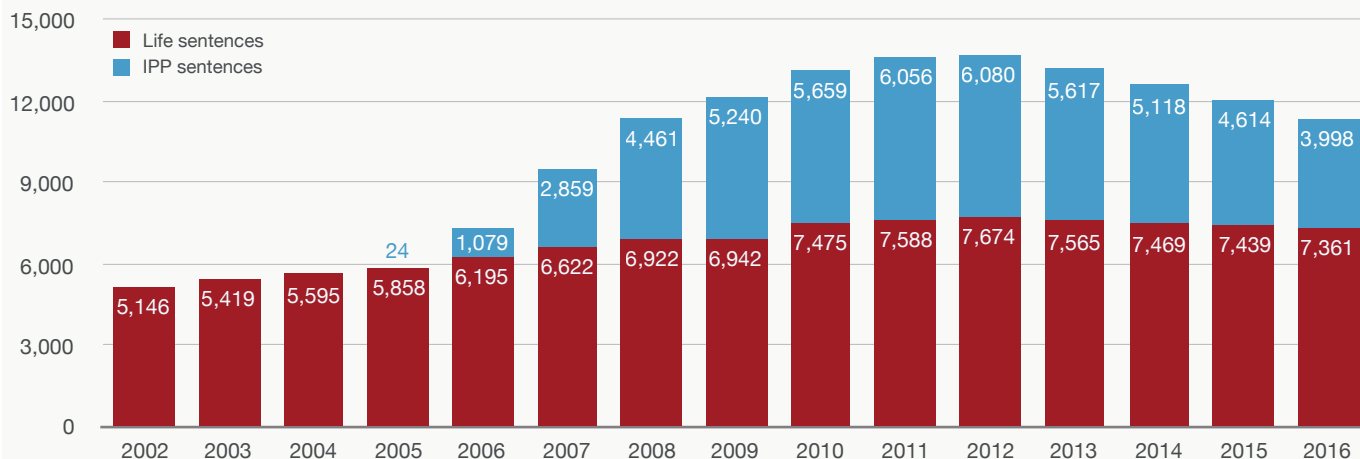
But growing numbers are ending up back in prison



Source: Offender management statistics quarterly: October to December 2016

A growing problem

Use of indeterminate sentences has risen dramatically in the last decade



Source: Offender management statistics prison population 2016

People with learning disabilities and difficulties

Nearly three in 10 people assessed in prison in 2015–16 reported that they had a learning disability or difficulty.⁶³ This is consistent with previous research.⁶⁴ However, inspectors have found that the system is failing to identify people with learning disabilities and difficulties adequately.⁶⁵

7% of people in contact with the criminal justice system have a learning disability—this compares with only 2% of the general population.⁶⁶

Four-fifths of prisoners with learning disabilities or difficulties report having problems reading prison information. They also had difficulties expressing themselves and understanding certain words.⁶⁷

Independent inspectors found that “little thought was given to the need to adapt regimes to meet the needs of prisoners with learning disabilities who may find understanding and following prison routines very difficult.”⁶⁸

Prisoners with learning disabilities or difficulties are more likely than other prisoners to have broken a prison rule; they are five times as likely to have been subject to control and restraint, and around three times as likely to report having spent time in segregation.⁶⁹

The government has invested £75m in liaison and diversion services in police custody suites and the criminal courts.⁷⁰

There is 53% population coverage of liaison and diversion services across England, which will rise to 75% by 2018. The previous Conservative government committed to full roll out of services by 2020–21, subject to evaluation.⁷¹

Foreign nationals in prison

The term ‘foreign national prisoner’ encompasses many different people. They may have come to the UK as children with parents, or be second generation immigrants; they may be asylum seekers or been given indefinite leave to remain as a refugee; they could be European nationals; those who have entered the UK illegally or were in the UK as students, visitors or workers who have got involved in the criminal justice system.

Foreign nationals (non-UK passport holders) currently make up 11% of the prison population in England and Wales. On 31 March 2017 there were 9,791 foreign nationals in prison.⁷²

Foreign national prisoners come from 169 countries—but over half are from nine countries (Poland, Ireland, Albania, Romania, Jamaica, Lithuania, Pakistan, India and Somalia).⁷³

Three-quarters of foreign nationals entering prison to serve a sentence in 2015 were sent there for non-violent offences.⁷⁴

11% of women in prison are foreign nationals.⁷⁵ Some are known to have been coerced or trafficked into offending.⁷⁶

More than 36,000 foreign national offenders have been removed from the UK since 2010. 5,705 of these were removed in 2016.⁷⁷

484 people were still held in prison as of 9 January 2017 under immigration powers, despite having completed their custodial sentence.⁷⁸

63 Skills Funding Agency (2016) OLASS English and maths assessments: participation 2015/16, London: SFA

64 Loucks, N. (2007) No One Knows: Offenders with Learning Difficulties and Learning Disabilities. Review of prevalence and associated needs, London: Prison Reform Trust

65 Criminal Justice Joint Inspection (2015) A joint inspection of the treatment of offenders with learning disabilities within the criminal justice system - phase two in custody and the community, London: HM Inspectorate of Prisons

66 NHS England (2016) Strategic direction for health services in the justice system: 2016–2020, London: NHS England

67 Talbot, J. (2008) Prisoners' Voices: Experiences of the criminal justice system by prisoners with learning disabilities and difficulties, London: Prison Reform Trust

68 Criminal Justice Joint Inspection (2015) A joint inspection of the treatment of offenders with learning disabilities within the criminal justice system - phase two in custody and the community, London: HM Inspectorate of Prisons

69 Talbot, J. (2008) Prisoners' Voices: Experiences of the criminal justice system by prisoners with learning disabilities and difficulties, London: Prison Reform Trust

70 Department of Health website, accessed on 5 May 2017, available at <https://www.gov.uk/government/news/extra-funding-for-mental-health-nurses-to-be-based-at-police-stations-and-courts-across-the-country>

71 Ibid.

72 Table 1.7, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice

73 Ibid.

74 House of Commons written question 36554, 11 May 2016

75 Table 1.7, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice

76 Hales, L. and Gelsthorpe, L. (2012) The criminalisation of migrant women, Cambridge: University of Cambridge

77 Table rt_06_q, Home Office (2017), Immigration statistics October to December 2016, London: Home Office

78 Home Office (2017), Immigration statistics October to December 2016, London: Home Office

Women in prison

The number of women in prison has more than doubled since 1993. There are now nearly 2,300 more women in prison today than there were in 1993.⁷⁹

On 16 June 2017 there were 3,994 women in prison in England and Wales.⁸⁰

8,447 women were sent to prison in the year to December 2016, either on remand or to serve a sentence.⁸¹

Most women entering prison under sentence (84%) have committed a non-violent offence.⁸²

Theft offences accounted for nearly half (48%) of all custodial sentences given to women in 2016.⁸³

As a result, most women entering prison serve very short sentences. 70% of sentenced women entering prison in the year to December 2016 were serving six months or less.⁸⁴ This has grown significantly since 1993 when only a third of women were given these very short sentences.⁸⁵

53% of women in prison reported experiencing emotional, physical or sexual abuse as a child, compared to 27% of men.⁸⁶

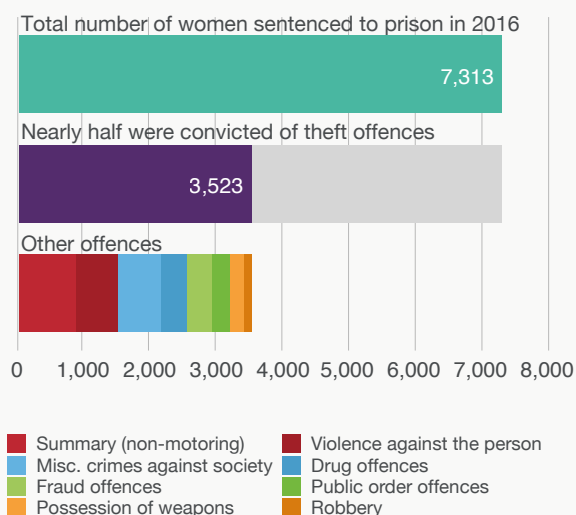
There were 12 self-inflicted deaths of women in prisons in England and Wales in 2016, the highest number since 2004, the year before Baroness Corston was commissioned to review the sharp rise in female deaths in custody.⁸⁷ The recent significant and rapid increase in women's deaths in prison is under investigation.⁸⁸

Women make up only

5%

of the total prison population at any one time

This is because they tend to commit less serious offences...



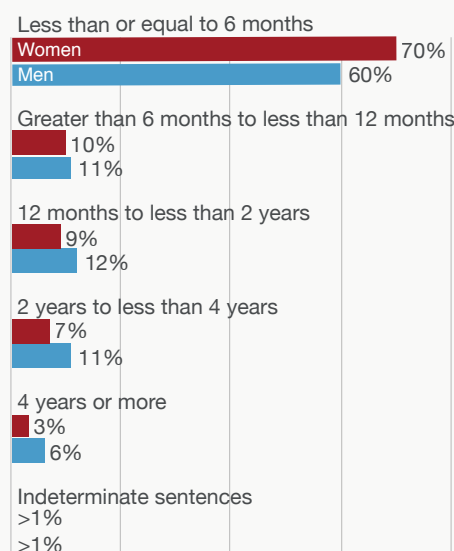
Source: Criminal justice statistics quarterly December 2016

But

10%

of people sent to prison each year are women

...and so many serve custodial sentences of 12 months or less



Source: Offender management statistics annual tables 2016

79 Table A1.2, Ministry of Justice (2016) Offender management statistics prison population 2016, London: Ministry of Justice and Table 1.1, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice

80 Ministry of Justice (2017) Population and capacity briefing for 16 June 2017, London: Ministry of Justice

81 Table 2.1, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice

82 Table 2.4b, Ibid.

83 Ministry of Justice (2017) Criminal justice statistics quarterly December 2016, Sentencing data tool, London: Ministry of Justice

84 Table 2.1, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice

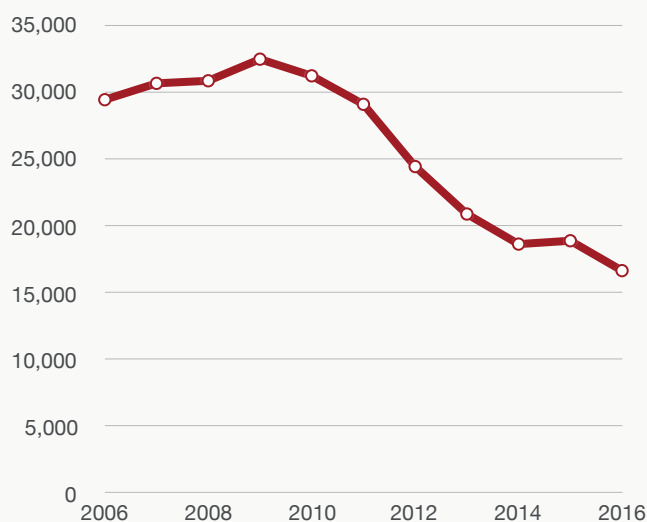
85 Hedderman, C. (2012) Empty cells or empty words, government policy on reducing the number of women going to prison, London: Criminal Justice Alliance

86 Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice

87 Table 1.2, Ministry of Justice (2017) Safety in custody quarterly update to December 2016, London: Ministry of Justice

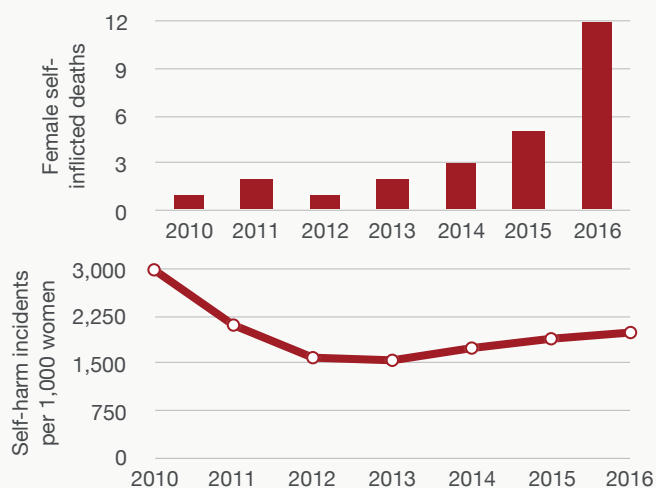
88 Independent Advisory Panel on Deaths in Custody (2017) Preventing the deaths of women in prison—initial results of a rapid information gathering exercise by the Independent Advisory Panel on Deaths in Custody, London: IAP

Despite this, the number of community sentences for women has fallen by nearly half in the last decade



Source: Criminal justice statistics quarterly December 2016

Many women in prison have high levels of mental health needs and histories of abuse, and there have been rises in self-inflicted deaths and self-harm



Source: Safety in custody statistics quarterly update to March 2017

Children and young adults in prison

The number of children (under-18s) in custody has fallen by 70% in the last decade.⁸⁹ They are also committing fewer crimes—with proven offences down by 74% from their peak in 2006.⁹⁰

858 children in custody were in England and Wales at the end of March 2017. 42 children were aged 14 or younger.⁹¹

Nearly a third of children in custody in 2015–16 were there for non-violent crimes.⁹²

Fewer than 1% of all children in England are in care,⁹³ but they make up nearly two-fifths of children in secure training centres (39%) and young offender institutions (37%).⁹⁴

More than two in every five children in custody (43%) are from a black or minority ethnic background. The drop in youth custody has not been as significant for black or minority ethnic children—a decade ago they accounted for a quarter (24%).⁹⁵

Nearly half of children (46%) in young offender institutions said they had felt unsafe at some point, the highest figure ever recorded by inspectors. Inspectors found that for too many children in custody, violence, bullying and intimidation are a regular feature of life.⁹⁶

Assault rates amongst children in custody continue to rise, with an average of 245 assaults a month. There were 19 assaults per 100 children in custody in the year to March 2016, up from nine in 2010.⁹⁷

Use of restraint on children in custody remains high, with an average of 360 restraint incidents a month. In the year to March 2016, there were 28 incidents of restraint per 100 children in custody, up from 18 in 2010.⁹⁸

87 incidents required medical treatment as a result of restraint in 2016—three of these required a child to be sent to hospital.⁹⁹

⁸⁹ Table 1, Youth Justice Board (2017) Monthly youth custody report—March 2017, London: Youth Justice Board

⁹⁰ Table 4.2, Ministry of Justice (2017) Youth Justice Statistics 2015–16, London: Ministry of Justice

⁹¹ Table 1 and 8, Youth Justice Board (2017) Monthly youth custody report—March 2017, London: Youth Justice Board

⁹² Table 7.5, Ministry of Justice (2017) Youth Justice Statistics 2015–16, London: Ministry of Justice

⁹³ Department for Education (2015) Children looked after in England year ending 31 March 2015, London: DfE and Table MYE2, Office for National Statistics (2015) Population Estimates for UK, England and Wales, Scotland and Northern Ireland, mid-2014, London: ONS

⁹⁴ Appendix A2 and B2, HM Inspectorate of Prisons (2016) Children in custody 2015–16, London: HM Stationery Office

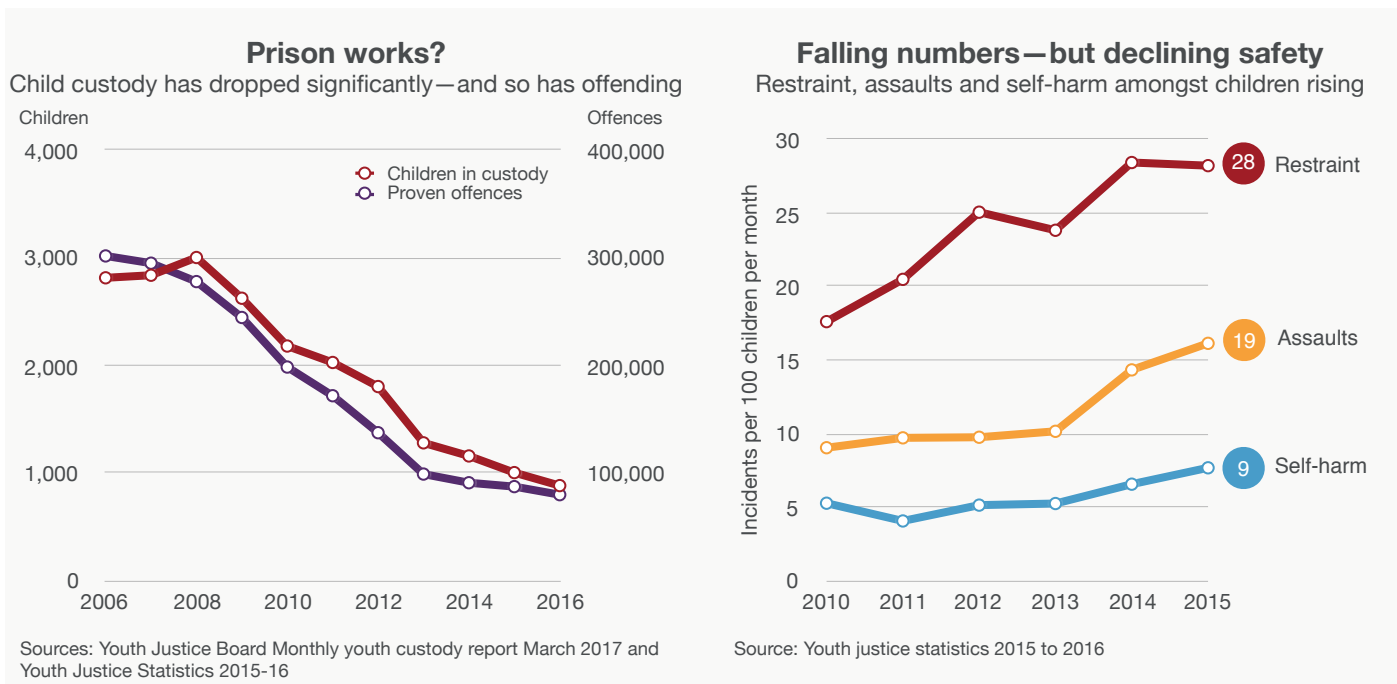
⁹⁵ Table 1 and 6, Youth Justice Board (2017) Monthly youth custody report—March 2017, London: Youth Justice Board

⁹⁶ HM Inspectorate of Prisons (2016) Children in Custody 2015–16, London: HM Stationery Office

⁹⁷ Table 8.3, Ministry of Justice (2017) Youth Justice Statistics 2015–16, London: Ministry of Justice and Youth justice statistics 2014 to 2015

⁹⁸ Ibid.

⁹⁹ Table 8.8, Ibid.



More than two-fifths (42%) of Muslim children in YOIs said that they had been victimised by staff. This compared to fewer than one-in-three (29%) non-Muslims.¹⁰⁰

14,932 young adults (aged 18–24) are currently in prison in England and Wales—they account for 17% of the total prison population.¹⁰¹

There are now a third fewer young adults (aged 18–24) in prison in England and Wales than in 2011.¹⁰²

Despite this welcome reduction, the prisons inspectorate has cautioned that those who remain in custody are “some of the most vulnerable, troubled young adults”.¹⁰³

The minimum age that a person can be prosecuted in a criminal trial in England, Wales and Northern Ireland is 10 years. This compares to 12 years in Canada, 13 years in France, 14 years in Germany and China, and 15 years in Sweden. In Scotland the age of criminal responsibility is eight years, but the minimum age for prosecution is 12.¹⁰⁴

Mental health in prison

26% of women and 16% of men said they had received treatment for a mental health problem in the year before custody.¹⁰⁵

25% of women and 15% of men in prison reported symptoms indicative of psychosis.¹⁰⁶ The rate among the general public is about 4%.¹⁰⁷

Suicide rates are significantly higher in custody than amongst the general population. In 2015 the rate of self-inflicted deaths amongst the prison population was 120 per 100,000 people, amongst the general population it is 10.8 per 100,000 people.¹⁰⁸

70% of people who died from self-inflicted means whilst in prison had already been identified with mental health needs. However, the Prisons and Probation Ombudsman (PPO) found that concerns about mental health problems had only been flagged on entry to the prison for just over half of these people.¹⁰⁹

¹⁰⁰ Appendix B6, HM Inspectorate of Prisons (2016) Children in custody 2015–16, London: HM Stationery Office

¹⁰¹ Table 1.3, Ministry of Justice (2017) Offender management statistics quarterly: October to December 2016, London: Ministry of Justice

¹⁰² Ibid. and Table A1.7, Ministry of Justice (2016) Offender management statistics prison population 2016, London: Ministry of Justice

¹⁰³ HM Chief Inspector of Prisons (2016) Annual Report 2015–16, London: The Stationery Office

¹⁰⁴ Jacobson, J. and Talbot, J. (2009) Vulnerable Defendants in the Criminal Courts: a review of provision for adults and children, London: Prison Reform Trust; and <http://www.scotland.gov.uk/News/Releases/2009/03/27140804>

¹⁰⁵ Ministry of Justice (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

¹⁰⁶ Ibid.

¹⁰⁷ Wiles, N., et al. (2006) Self-reported psychotic symptoms in the general population, The British Journal of Psychiatry, 188: 519-526

¹⁰⁸ Table 2, Ibid. and Office for National Statistics (2016) Suicides in the United Kingdom, 2014 Registrations, Newport: Office for National Statistics

¹⁰⁹ Prisons and Probation Ombudsman (2016) Prisoner mental health, London: PPO

The PPO's investigation found that nearly one in five of those diagnosed with a mental health problem received no care from a mental health professional in prison.¹¹⁰

The PPO also found that no mental health referral was made when it should have been in 29% of self-inflicted deaths where mental health needs had already been identified.¹¹¹

Nearly three-quarters (73%) of transfers from prison to secure hospitals under the Mental Health Act in the last year took longer than the Department of Health's expectation of 14 days.¹¹²

Less than one per cent of community sentences given in 2015 included a mental health treatment requirement—this has remained unchanged for the last five years.¹¹³

Rehabilitation and resettlement

Reoffending

Prison has a poor record for reducing reoffending—44% of adults are reconvicted within one year of release. For those serving sentences of less than 12 months this increases to 59%.¹¹⁴

48% of women are reconvicted within one year of leaving prison. This rises to 61% for sentences of less than 12 months and to 78% for women who have served more than 11 previous custodial sentences.¹¹⁵

Nearly seven in 10 children (69%) sent to prison are reconvicted within a year of release—this rises to 78% for those serving sentences of less than six months.¹¹⁶

Short prison sentences are less effective than community sentences at reducing reoffending. People serving prison sentences of less than 12 months had a reoffending rate seven percentage points higher than similar offenders serving a community sentence—they also committed more crimes.¹¹⁷

Reoffending by all recent ex-prisoners costs the economy between £9.5 and £13 billion annually. As much as three quarters of this cost can be attributed to former short-sentenced prisoners: some £7–10bn a year.¹¹⁸

Purposeful activity

Purposeful activity includes education, work and other activities to aid rehabilitation whilst in prison.

Fewer than half (44%) of prisons received a positive rating from inspectors in 2015–16 for purposeful activity work.¹¹⁹

Over half (57%) of people entering prison were assessed as having literacy skills expected of an 11 year old¹²⁰—over three times higher than in the general adult population (15%).¹²¹

94,700 adults in the prison system participated in education in the 2015–16 academic year—a decrease of nearly seven per cent on 2014–15.¹²²

The number of qualifications achieved at level 1 or 2 (GCSE equivalent) has plummeted, falling by 38% in English and 35% in Maths between the 2011–12 and 2015–16 academic years.¹²³

Despite this, 11,300 people achieved a full level 2 qualification, the equivalent to 5 GCSEs, in the 2015–16 academic year via mainstream prison learning—more than five times as many as in 2011–12.¹²⁴

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² House of Commons written question 62839, 7 February 2017 and House of Commons written question 45018, 8 September 2016

¹¹³ House of Commons written question 67348, 29 March 2017

¹¹⁴ Tables C1a and C2a, Ministry of Justice (2017) Proven reoffending statistics: July 2014 to June 2015, London: Ministry of Justice

¹¹⁵ Table 6.07, 6.09 and 6.10, Ministry of Justice (2016) Women and the criminal Justice system 2015, London: Ministry of Justice

¹¹⁶ Table C1b and Index disposal tool, Ministry of Justice (2016) Proven reoffending statistics quarterly: January to December 2014, London: Ministry of Justice

¹¹⁷ Ministry of Justice (2013) 2013 Compendium of re-offending statistics and analysis, London: Ministry of Justice

¹¹⁸ National Audit Office (2010) Managing offenders on short custodial sentences, London: The Stationery Office

¹¹⁹ HM Chief Inspector of Prisons (2016) Annual Report 2015–16, London: The Stationery Office

¹²⁰ Skills Funding Agency (2016) OLASS English and maths assessments: participation 2015/16, London: SFA

¹²¹ Figure 1.1, Department for Business Innovation and Skills (2012) The 2011 Skills for Life Survey: A Survey of Literacy, Numeracy and ICT Levels in England, London: BIS

¹²² Table 10.1, Skills Funding Agency (2017) Further education and skills: March 2017, London: SFA

¹²³ Skills Funding Agency (2016) FE data library—OLASS: participation and achievement by equality and diversity & English and maths level: 2010/11 to 2015/16, London: SFA

¹²⁴ Table 10.2, Skills Funding Agency (2017) Further education and skills: March 2017, London: SFA

However, only 300 people achieved a level 3 qualification (AS and A Level equivalent) in the 2015–16 academic year via mainstream prison learning—a quarter of the number in 2011–12.¹²⁵

Engagement with education can reduce reoffending. The Ministry of Justice found that one year reoffending rates were a quarter lower (six to eight percentage points) for people who received support from Prisoners' Education Trust for educational courses or learning materials compared to those in a matched group who did not.¹²⁶

An average of 9,300 prisoners are working in the public prison estate, and a further 1,700 are working in private prisons. They worked for a total of 16 million hours in 2015–16.¹²⁷

Inspectors found that in too many prisons, work remains mundane, repetitive and is rarely linked to resettlement objectives. The skills that people had developed whilst in prison often went unrecorded and so failed to help their employment prospects on release.¹²⁸

A Ministry of Justice survey of prisoners found that only 53% reported having had paid work in prison. Nearly one in three worked as cleaners.¹²⁹

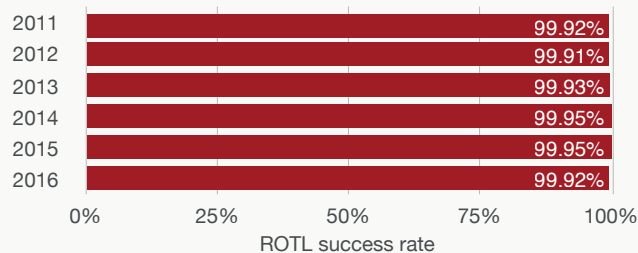
Prisoners who attend vocational training in prison are more likely to secure employment shortly after release¹³⁰—a view endorsed by Ofsted.¹³¹

Release on temporary licence

Release on temporary licence (ROTL) can play an important part in helping people to prepare for release, particularly those who are serving long sentences. Following a full risk assessment, it allows people to take responsibility, and reconnect with the world they will be released in.

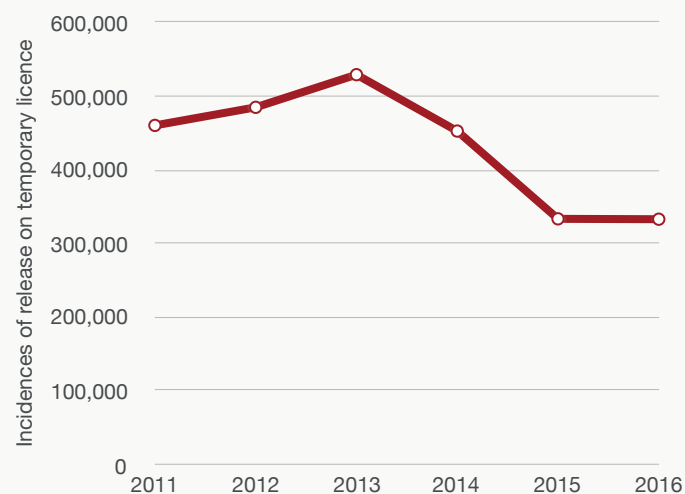
In
99.92%
of cases ROTL is completed successfully.

ROTL has had a consistently high success rate



Source: Offender management statistics quarterly: October to December 2016

Despite this, new restrictions on ROTL have seen a drop of nearly 40% in the last three years.



Source: Offender management statistics annual tables 2016

In nearly three-quarters of resettlement prisons between 2013 and 2015 use of ROTL was either nonexistent or negligible.¹³²

During 2015–16, there were a total of 1,467 people, on average only 335 per month, working out of the prison on licence.¹³³

They paid £247 per month on average to the Prisoners' Earnings Act levy—the equivalent of nearly 30% of their net earnings.¹³⁴

¹²⁵ Ibid.

¹²⁶ Ministry of Justice (2015) Justice Data Lab Re-offending Analysis: Prisoners' Education Trust, London: Ministry of Justice

¹²⁷ Table 5 and 6, Ministry of Justice (2016) Prison performance statistics 2015 to 2016, London: Ministry of Justice

¹²⁸ HM Chief Inspector of Prisons (2016) Annual Report 2015–16, London: The Stationery Office

¹²⁹ Hopkins, K., and Brunton-Smith, I. (2014) Prisoners' experience of prison and outcomes on release: Waves 2 and 3 of SPCR, London: Ministry of Justice

¹³⁰ Brunton-Smith, I. and Hopkins, K. (2014) The impact of experience in prison on the employment status of longer-sentenced prisoners after release, London: Ministry of Justice

¹³¹ Ofsted (2014) The report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2013/14: Further education and skills, London: The Stationery Office

¹³² House of Lords written question HL3128, 16 November 2015 and NOMS population and capacity briefings

¹³³ Ministry of Justice (2016) Prison performance statistics 2015 to 2016, London: Ministry of Justice

¹³⁴ Ibid.

Resettlement

For many, having a criminal conviction is a barrier to leading a law-abiding life on release. The Rehabilitation of Offenders Act 1974 gives people with spent convictions and cautions the legal right not to disclose them when applying for most jobs.

Only one in four people (27%) had a job to go to on release from prison.¹³⁵

One in five employers (19%) said they excluded or were likely to exclude them from the recruitment process.¹³⁶

However, 78 employers so far, including the entire Civil Service, have signed up to Ban the Box— removing the need to disclose convictions at the initial job application stage as a first step towards creating fairer employment opportunities for ex-offenders.¹³⁷

Just 19% of people leaving prison and referred to the Work Programme have found a job which they have held for six months or more.¹³⁸ Of these, nearly two in five people (38%) have subsequently gone back to Jobcentre Plus.¹³⁹

Entitlement to housing benefit stops for all sentenced prisoners expected to be in prison for more than 13 weeks. This means that many prisoners have very little chance of keeping their tenancy open until the end of their sentence and lose their housing.

11% of people released from custody in 2014–15 had no settled accommodation.¹⁴⁰ Inspectors have said that the figures are “misleading” as “they do not take into account the suitability or sustainability of the accommodation.”¹⁴¹

Almost three-quarters of prisoners surveyed said finance, benefits and debt were a very significant need on release—second only to accommodation.¹⁴²

More than four in five former prisoners surveyed said their conviction made it harder to get insurance and four-fifths said that when they did get insurance, they were charged more. The inability to obtain insurance can prevent access to many forms of employment or self-employment.¹⁴³

¹³⁵ Table 8, Ministry of Justice (2015) National Offender Management Service annual report 2014/15: Management Information Addendum, London: Ministry of Justice

¹³⁶ Chartered Institute of Personnel and Development (2010) Disadvantaged Groups in the Labour Market, London: CIPD

¹³⁷ Business in the Community website, accessed on 16 May 2017, available at <http://www.bitc.org.uk/programmes/ban-box/who-has-banned-box-0>

¹³⁸ Table 2.8, Department for Work and Pensions (2016) Work programme official statistics to December 2016, London: DWP

¹³⁹ Department for Work and Pensions, Stat-Xplore website, accessed on 15 May 2017, available at <https://stat-xplore.dwp.gov.uk/>

¹⁴⁰ Table 10, Ministry of Justice (2015) NOMS Annual Report 2014/15: Management Information Addendum, London: Ministry of Justice

¹⁴¹ Criminal Justice Joint Inspection (2014) Resettlement provision for adult offenders: Accommodation and education, training and employment, London: HMIP

¹⁴² Figure C.5, Meadows, L. et al (2010) Investigating the Prisoner Finance Gap across four prisons in the North East, London: DWP

¹⁴³ Bath, C., and Edgar, K. (2010) Time is Money: Financial responsibility after prison, London: Prison Reform Trust

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